NAR Issue Summaries

Commercial / Drones

NAR Committee:

Commercial Federal Policy Committee

What is the fundamental issue?

Technological advances have made it efficient and cost effective to take pictures and videos from drones, aka Unmanned Aerial Systems (UAS). Real estate professionals working with residential, commercial and land parcels can all benefit from the images and information obtained from using UAS technology. This imagery is an incredible tool for potential homeowners moving to a different city, buying a second home, or trying to streamline the research process necessary to buy a new home. Many commercial properties or large parcels of land do not lend themselves well to traditional photography. Other UAS applications in real estate include insurance inspections, appraisals, building management, and heat-loss imaging.

The Federal Aviation Administration (FAA) small drone rule became effective August 29, 2016. This rule eased the restrictions on UAS use for businesses by creating an FAA-issued "UAS Operator Certificate" which does not require a pilots license. The FAA followed up with more rules to allow expanded commercial use of UAS, including for over-crowd flights, beyond-visual-line-of-sight (BVLOS) flights, and night flights.

I am a real estate professional. What does this mean for my business?

As UAS technology becomes more efficient, easy to use, and affordable, UAS-obtained images will become more commonplace in real estate. UAS provide a completely new and different perspective of the property and allow the agent to add value to the real estate transaction. Using UAS in other real estate related businesses such as insurance evaluations and roof inspections will make tasks easier, faster, cheaper, and less dangerous to complete.

The FAA released a rule for small UAS in June 2016 that provides a more predictable pathway to use. The rule creates an education, testing and certification scheme for commercial UAS operators. The rule also provides more clarity about what operations are permissible.

NAR Policy:

NAR supports efforts to create new federal regulations to allow for the future commercial use of unmanned aerial vehicle technology by the real estate industry.

NAR is committed to working with the Federal Aviation Administration, and any other relevant federal agencies, during the regulatory approval process. The National Association of REALTORS® will continue its ongoing efforts to educate REALTORS® about the current and future regulatory structure for the safe and responsible operation of unmanned aerial vehicles.

Opposition Arguments:

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Access to the national airspace must be protected at all costs. Increased use of UASs will reduce safety and increase threats to individual privacy and property rights. UASs are too dangerous for commonplace use and will cause harm to persons or property.

Legislative/Regulatory Status/Outlook

The FAA continues to develop rules for commercial UAS use, to improve public and national safety concerns, create better tracking/registry systems, and to comply with the regular FAA Reauthorization bills passed by Congress, which frequently require further studies and alterations to existing regulations.

Current Legislation/Regulation (bill number or regulation)

Read the FAA's summary of the Small UAS Rule

FAA: UAS Operations Over People General Summary

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